

DOCKET NO.: MSFT-3018/307735.01

**PATENT
NOTICE OF APPEAL UNDER
37 CFR § 41.31**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Pablo Castro, Blaine Dockter, Lale
Divringi, and Sharad Sundaresan**

Confirmation No.: 6346

Application No.: 10/824,177

Group Art Unit: 2194

Filing Date: April 14, 2004

Examiner: Richard Pantoliano Jr.

For: ASYNCHRONOUS DATABASE API

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 41.31**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **August 8, 2007** finally rejecting claims **21, 23-25 and 28-37** of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☒ Attached is a Pre-Appeal Brief Request for Review.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as _____ :
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of August 8, 2007 to and through February 8, 2008 comprising an extension of the shortened statutory period of three (3) months.

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	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL FEE	\$255	\$	\$510	\$ 510.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$ 0.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$230	\$	\$460	\$ 0.00
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$525	\$	\$1050	\$1050.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$820	\$	\$1640	\$ 0.00
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1115	\$	\$2230	\$ 0.00
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$ 0.00)
TOTAL FEE DUE		\$		\$1560.00

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge my Deposit Account No. 23-3050 in the amount of **\$1560.00**. This sheet is attached in duplicate. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

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- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050.

Date: February 7, 2008

/Nathaniel Gilder/
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